

**CITY OF LAKE STEVENS
REGULAR CITY COUNCIL MEETING MINUTES**

Monday, February 10, 2014
Lake Stevens School District Educational Service Center (Admin. Bldg.)
12309 22nd Street N.E. Lake Stevens

CALL TO ORDER: 7:00 p.m. by Mayor Vern Little

COUNCILMEMBERS PRESENT: Todd Welch, Suzanne Quigley, Kathy Holder, Kim Daughtry, Marcus Tageant, and Sam Low

COUNCILMEMBERS ABSENT: John Spencer

STAFF MEMBERS PRESENT: City Administrator Jan Berg, City Attorney Cheryl Beyer, Planning Director Becky Ableman, Finance Director Barb Stevens, Public Works Director Mick Monken, Human Resource Director Steve Edin, Senior Planner Russ Wright, Interim Police Chief Dan Lorentzen, and Office Assistant Carin Hinman

OTHERS: Jim Wilson, Mike Warhank and Jeff Greenhaw

Excused absence. Councilmember Welch moved to excuse councilmember Spencer, seconded by Councilmember Tageant; motion carried unanimously. (6-0-0-1)

Guest Business. None

Consent Agenda. Councilmember Low moved to approve Consent Agenda Items A and B (A. Approve January 2014 blanket vouchers [Payroll Direct Deposits 1/31/14 for \$118,390.33; Payroll Checks 36310 for \$2,534.62; Electronic Funds Transfers ACH for \$164,016.78; Claims 36309, 36311 – 36381 for \$135,096.35; Void Checks 36309 and 36323 for \$(750.00); Tax Deposit(s) 1/31/14 for \$46,756.56; for Total Vouchers Approved of \$466,044.64]; B. Approve Council regular meeting minutes of January 27, 2014, seconded by Councilmember Tageant; motion carried unanimously. (6-0-0-1)

Public Hearing for second and final reading of Ordinance No. 908, I-502 Marijuana Regulations. Mayor Little read the Public Hearing procedure. Senior Planner Russ Wright presented a recap on Ordinance No. 908 stating the City is proposing to create regulations for licensing, processing, production and retail sales of marijuana to individuals ages 21 and older to go along with the recently adopted Washington State regulations. Ordinance No. 908 would establish licensing requirements, set up zoning regulations, definitions into our Municipal Code.

Public Comment: Jeff Greenhaw, 8142 N.E. 145th Place, Kenmore, WA 98028. Mr. Greenhaw voiced his concerns regarding the 1,000 foot separation between businesses and the 10,000 square foot limitation on producer/processors. He noted the limitations would reduce the number of usable buildings and the amount of space in them.

Mike Warhank, 2605 131st Drive N.E., Lake Stevens. Mr. Warhank voiced his concern regarding odor control how to enforce it and suggested restrictions to the Centennial Trail area.

Jim Wilson, 13008 27th Place N.E., Lake Stevens. Mr. Wilson noted that he is a local business owner and has been in Lake Stevens for twenty seven years. He has four industrial buildings approximately 10,000 square feet each and is seeking a license for marijuana production and processing. He requested the City follow the States recommendations and requirements for producer /processor businesses.

MOTION: Councilmember Daughtry moved to close the public comment portion of the Public Hearing, seconded by Councilmember Welch; motion carried unanimously. (6-0-0-1)

Councilmember Quigley disclosed that she owns property in the subject area.

Councilmember Quigley asked Senior Planner Wright how the odor issue is regulated. Planning Director Ableman noted that the City has interlocal agreement with the Puget Sound Clean Air agency and they would be the enforcement mechanism if there was to be odor issues. Councilmembers Holder and Quigley requested stronger language in the City Code be created requiring specific standards.

Councilmember Holder questioned the cost of policing these areas as they come into the City. Interim Police Chief Lorentzen responded that is an unknown and the Police would meet with the applicants. Senior Planner Wright commented that the WAC addresses these issues with regulations and the Liquor Control Board will also review these security mechanisms before occupancy.

Councilmember Holder questioned the vegetation buffer requirements between the Centennial Trail and businesses. Planning Director Ableman responded requirements are Type A, the highest density vegetation, 10 feet wide at a height of approximately 4 – 6 feet when installed.

Mayor Little summed up the discussion to stay at tier two with a 10,000 square foot canopy and go to the WAC for separation requirements.

Senior Planner Wright reviewed changes to section 14.44.097 page 29 of Council packet, Section d1 would read 'no more than one distinct marijuana business shall be located within a single structure', d2 subsection 2 would be stricken and there would be no separation between facilities and Section e1 would read 'State-licensed producers will be limited to a tier 2 size, e2 will read 'State-licensed retail locations will be limited to 100,000 square feet' and add a subsection 3 that would that would retain the limitations on re-sales. Page 30 h will now read 'the applicant will demonstrate prior to occupancy that they can meet the requirements for odor control'.

MOTION: Councilmember Welch moved to close the Public Hearing on Ordinance 908, seconded by Councilmember Holder; motion carried unanimously. (6-0-0-1)

MOTION: Councilmember Welch moved to approve the second and final reading of Ordinance No. 908, I-502 Marijuana Regulations as amended, seconded by Councilmember Daughtry; motion carried unanimously.
(6-0-0-1)

Public meeting in consideration of Catherine Crest Final Plat Approval

The plat of Catherine Crest is under review for final plat approval. It's a 31 lot cluster subdivision on 13 acres. All fees and conditions required for approval have been met.

MOTION: Councilmember Tageant moved to approve the final plat of Catherine Crest, seconded by Councilmember Welch; motion carried unanimously. (6-0-0-1)

Adopt Resolution No. 2014-1, Authorizing Use of Local Government Investment Pool

Finance Director Stevens requested adoption of Resolution 2014-1 to allow the City to continue to invest in the Local Government Investment Pool that is run by State Treasury stating that it is a safe and liquid investment.

MOTION: Councilmember Low moved to adopt Resolution No. 2014-1 Local Government Investment Pool, seconded by Councilmember Welch; motion carried unanimously. (6-0-0-1)

Supplemental Agreement No. 1 for Aluminum Sulfate Treatment Program to Aquatechnex

Public Works Director Monken requested the Mayor to authorize the Aluminum Sulfate Treatment Program to Aquatechnex for the amount of \$96,056.70 with a management reserve of \$3,000.

MOTION: Councilmember Tageant moved to allow Mayor Little to approve the Supplemental Agreement No. 1 for Aluminum Sulfate Treatment Program to Aquatechnex for an amount of \$96,056.70 and authorize a management reserve of \$3,000, seconded by Councilmember Daughtry ; motion carried unanimously. (6-0-0-1)

Supplemental Agreement No.1 to Public Safety Testing Professional Services Agreement Approved January 13, 2014

Human Resource Director Edin handed out and recommended approval of a Professional Services Supplemental Agreement between the City and Public Safety Testing for Consultant Services amending the original language to clarify dual indemnity and confidentiality requirements.

MOTION: Councilmember Daughtry moved to approve supplemental agreement No. 1 to Public Safety Testing Professional Services, seconded by Councilmember Tageant; motion carried unanimously. (6-0-0-1)

Discussion Items: Public Works Director Monken reviewed the Street Sweeping Plan noting route priorities, general sweeping and seasonal sweeping schedules. No revisions have been made on this plan. He also noted the new anti-icer worked very well during last week's snow.

Planning Director Ableman introduced the proposed work plan for the State mandated 2015 Comprehensive Plan update. This gives the City the opportunity to update the Land Use policy, countywide planning policies and growth plan targets for 2035. A short video was presented on GMA to encourage and welcome future growth. Senior Planner Wright reviewed the 2015 work plan update noting mandatory elements from the State. Individual chapters will be tackled over the next 18 months. A public participation program will include open houses, public hearings and electronic surveys. Public Hearing processes will begin after agency and environmental reviews. Planning Director Ableman noted that all work will be done in house.

Council Person's Business: Councilmembers reported on the following: Daughtry – attended the Community Transit Board meeting, met with City Administrator Berg, Mayor Little and Councilmember Quigley to plan Council retreat - Low attended the AWC Conference in Olympia, did a ride-along with Public works director Monken also did ride along with the Police Department– Quigley attended the Council retreat planning meeting and will attend the Park Board meeting discussing Cavalero Park.

Mayor's Business: Mayor Little reported on the following: he met with City Administrator Berg, Councilmembers Daughtry and Quigley to discuss the Council retreat – he and City Administrator Berg met with Susan Delbene's office to discuss Federal Government issues, the transportation package and drug problems in the Cities – he noted an invitation to Snohomish County Cities Summit, February 20th 5:30 p.m. at new Everett Community Resource Center. – he met with Public Works Director Monken, City Administrator Berg and County Councilman Terry Ryan updating him on parks and activity in the City.

Staff Reports: Staff reported on the following: Planning Director Ableman met with the County Parks Department discussing the potential Cavalero Hill skate park. – Public Works Director Monken noted a four- way stop will be put in at 79th S.E. and 15th S.E to improve site distance. Monken and Interim Police Chief Lorentzen have been working with citizen Gagnon who has placed numerous complaints since 2010 with the issue of speeding in her neighborhood. Interim Police Chief Lorentzen handed out a Police Department organizational chart reviewing current employees, officers in background and 2014 budgeted employees

Adjourn. Councilmember Low moved to adjourn at 9:06 p.m., seconded by Councilmember Tageant; motion carried unanimously. (6-0-0-1)



Kim Daughtry, Mayor Pro Tem



Interim City Clerk, Barb Stevens